



09/08/2004 19:01 2148660010

CHALKER FLORES LLP

PAGE 05/09  
Page 1 of 2

## UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/828,935         | 04/21/2004             | David G. Gorenstein   | UTMB:1024              |

34725  
CHALKER FLORES, LLP  
12700 PARK CENTRAL, STE. 455  
DALLAS, TX 75251

CONFIRMATION NO. 5115

## FORMALITIES LETTER



\*OC000000013182247\*

Docketed  
Missing Parts  
Due 9/8/04

Date Mailed: 07/08/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/09/2004 JADD01 00000010 10828935

|            |           |
|------------|-----------|
| 01 FC:2001 | 385.00 OP |
| 02 FC:2202 | 549.00 OP |
| 03 FC:2201 | 43.00 OP  |
| 04 FC:2051 | 65.00 OP  |

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$592 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**


Total additional fee(s) required for this application is \$1042 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$592
  - \$43 for 1 independent claims over 3.
  - \$549 for 61 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

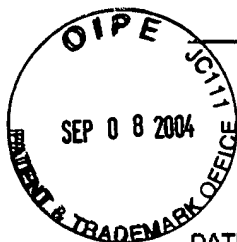
  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**CHALKER FLORES, LLP**

INTELLECTUAL PROPERTY LAW

**Fax**

DATE: September 8, 2004

|                                |               |                        |
|--------------------------------|---------------|------------------------|
| TO                             | Box / Fax No. | RE:                    |
| US Patent and Trademark Office | 703-748-4080  | Serial No. 10/828,935  |
|                                |               | Filing Date: 4/21/2004 |
|                                |               | Inventor: Gorenstein   |

|                               |              |                           |
|-------------------------------|--------------|---------------------------|
| FROM                          | Edwin Flores | eflores@chalkerflores.com |
| DIRECT LINE                   | 214-866-0001 |                           |
| DIRECT FAX                    | 214-866-0010 |                           |
| CLIENT/MATTER NO.             | UTMB:1024    |                           |
| TOTAL PAGES (including cover) | 9            |                           |
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Please indicate local time deadline:  
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**Comments**

Attached for filing please find:

- |  |          |
|--|----------|
| 1. PTO Transmittal Form                  | - 1 pg.  |
| 2. PTO Fee Transmittal                   | - 1 pg.  |
| 3. PTO Form 2038                         | - 1 pg.  |
| 4. Notice to File Missing Parts          | - 2 pgs. |
| 5. Oath & Declaration                    | - 1 pg.  |
| 6. Ack. Receipt for Bio Sequence Listing | - 2 pgs. |

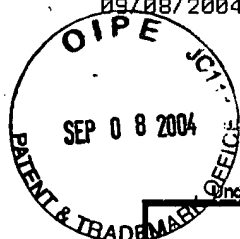
Thank you,

Edwin Flores, Reg. No. 38,453

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12700 Park Central, Suite 455

Tel: 214.866.0001



PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|  |                        |                      |
|--|------------------------|----------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> | Application Number     | 10/828,935           |
|  | Filing Date            | Apr 21, 2004         |
|  | First Named Inventor   | Gorenstein, David G. |
|  | Art Unit               |                      |
|  | Examiner Name          |                      |
| Total Number of Pages in This Submission   | Attorney Docket Number | UTMB:1024            |

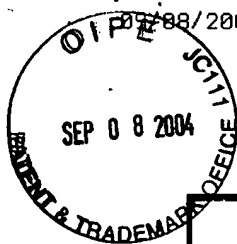
| ENCLOSURES <i>(Check all that apply)</i>  |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance communication to Technology Center (TC)                           |
| <input checked="" type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences                        |
| <input type="checkbox"/> Amendment / Reply  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)                    |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                                      | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                                      | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):                            |
| <input type="checkbox"/> Express Abandonment Request                                    | <input type="checkbox"/> Request for Refund   | Fax Transmittal Sheet; PTO Form 2038; Oath & Declaration; Acknowledgement Receipt for Bio Sequence Listing |
| <input type="checkbox"/> Information Disclosure Statement                               | <input type="checkbox"/> CD, Number of CD(s) _____                                      |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                         | Remarks   |  |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application               |   |  |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Edwin Flores, Reg. No. 38,453<br>Chalker Flores, LLP |
| Signature                                  |  |
| Date                                       | September 8, 2004                                    |

| CERTIFICATE OF TRANSMISSION/MAILING   |              |      |                   |
|---|--------------|------|-------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |              |      |                   |
| Typed or printed name   | Edwin Flores |      |                   |
| Signature   |              | Date | September 8, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0851-0032

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant Claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 1,042.00**Complete if Known**

|                      |                    |
|----------------------|--------------------|
| Application Number   | 10/828,935         |
| Filing Date          | 4/21/2004          |
| First Named Inventor | Gorenstein, et al. |
| Examiner Name        |                    |
| Art Unit             |                    |
| Attorney Docket No.  | UTMB:1024          |

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account

Deposit Account Number

Deposit Account Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description        | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------|
| 1001                  | 770                   | 2001                  | 385                   | Utility filing fee     | 385.00   |
| 1002                  | 340                   | 2002                  | 170                   | Design filing fee      |          |
| 1003                  | 530                   | 2003                  | 265                   | Plant filing fee       |          |
| 1004                  | 770                   | 2004                  | 385                   | Reissue filing fee     |          |
| 1005                  | 160                   | 2005                  | 80                    | Provisional filing fee |          |

**SUBTOTAL (1) (\$)** 385.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------|----------------|----------|
| 81           | 20**         | 81 x 9         | 549.00   |
| 4            | 3**          | 1 x 43         | 43.00    |

Multiple Dependent

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 1202                  | 18                    | 2202                  | 9                     | Claims in excess of 20                                     |
| 1201                  | 86                    | 2201                  | 43                    | Independent claims in excess of 3                          |
| 1203                  | 290                   | 2203                  | 145                   | Multiple dependent claim, if not paid                      |
| 1204                  | 86                    | 2204                  | 43                    | **Reissue independent claims over original patent          |
| 1206                  | 18                    | 2205                  | 9                     | ***Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2) (\$)** 592.00

\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|--|----------|
| 1051                  | 130                   | 2051                  | 65                    | Surcharge - late filing fee or oath  | 65.00    |
| 1052                  | 50                    | 2052                  | 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053                  | 130                   | 1053                  | 130                   | Non-English specification  |          |
| 1812                  | 2,520                 | 1812                  | 2,520                 | For filing a request for ex parte reexamination                            |          |
| 1804                  | 920*                  | 1804                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                  | 1,840*                | 1805                  | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251                  | 110                   | 2251                  | 55                    | Extension for reply within first month                                     |          |
| 1252                  | 420                   | 2252                  | 210                   | Extension for reply within second month                                    |          |
| 1253                  | 950                   | 2253                  | 475                   | Extension for reply within third month                                     |          |
| 1254                  | 1,480                 | 2254                  | 740                   | Extension for reply within fourth month                                    |          |
| 1255                  | 2,010                 | 2255                  | 1,005                 | Extension for reply within fifth month                                     |          |
| 1401                  | 330                   | 2401                  | 165                   | Notice of Appeal   |          |
| 1402                  | 330                   | 2402                  | 165                   | Filing a brief in support of an appeal                                     |          |
| 1403                  | 280                   | 2403                  | 145                   | Request for oral hearing   |          |
| 1451                  | 1,510                 | 1451                  | 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452                  | 110                   | 2452                  | 55                    | Petition to revive - unavoidable   |          |
| 1453                  | 1,330                 | 2453                  | 665                   | Petition to revive - unintentional   |          |
| 1501                  | 1,330                 | 2501                  | 665                   | Utility issue fee (or reissue)   |          |
| 1502                  | 480                   | 2502                  | 240                   | Design issue fee   |          |
| 1503                  | 640                   | 2503                  | 320                   | Plant issue fee  |          |
| 1460                  | 130                   | 1460                  | 130                   | Petitions to the Commissioner  |          |
| 1807                  | 50                    | 1807                  | 50                    | Processing fee under 37 CFR 1.17(q)  |          |
| 1806                  | 180                   | 1806                  | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 8021                  | 40                    | 8021                  | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 1808                  | 770                   | 2808                  | 385                   | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810                  | 770                   | 2810                  | 385                   | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801                  | 770                   | 2801                  | 385                   | Request for Continued Examination (RCE)                                    |          |
| 1802                  | 900                   | 1802                  | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 65.00**SUBMITTED BY****Complete if applicable**

|                   |              |                                   |        |           |                |
|-------------------|--------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Edwin Flores | Registration No. (Attorney/Agent) | 38,453 | Telephone | (214) 866-0001 |
| Signature         |              |                                   |        | Date      | 9/8/04         |

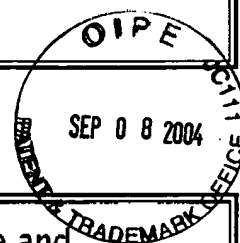
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ACKNOWLEDGEMENT RECEIPT

Electronic Version 1.1  
Stylesheet Version v1.1.1



Title of  
Invention

Bead Bound Combinatorial Oligonucleoside Phosphorothioate and  
Phosphorodithioate Aptamer Libraries

Submission Type: BIO Sequence Filing  
Application Number: 10/828935 \*10/828935\*  
EFS ID: 68154  
Server Response:

| Confirmation Code | Message   |
|-------------------|---|
| ISVR1             | Submission was successfully submitted - Even if Informational or Warning Messages appear below, please do not resubmit this application   |
| ICON1             | 5115  |
| USPTOEFSNotice    | For assistance with e-filing a patent application, contact the Patent Electronic Business Center: Toll-Free Number: 1 (866) 217-9197 Website: <a href="http://www.uspto.gov/ebc/">http://www.uspto.gov/ebc/</a> |

First Named Applicant: David Gorenstein  
Attorney Docket Number: UTMB1024  
Timestamp: 2004-09-08 19:07:13 EDT  
From: us  
File Listing:

| Doc. Name        | File Name            | Size (Bytes) |
|------------------|----------------------|--------------|
| us-bio-seq-trans | UTMB1024-usbios.xml  | 654          |
| us-bio-seq-trans | us-bio-seq-trans.dtd | 2905         |
| us-bio-seq-trans | us-bio-seq-trans.xsl | 6567         |
| sequence-listing | UTMB1024.txt.txt     | 24329        |
| package-data     | UTMB1024-pkda.xml    | 2151         |
| package-data     | package-data.dtd     | 27025        |
| package-data     | us-package-data.xsl  | 19263        |
| Total files size |                      | 82894        |

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Acknowledgement Receipt

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Name: Attorneys,ou=Patent and Trademark  
Office,ou=Department of Commerce,o=U.S.  
Government,c=US

